

## SENATE BILL No. 289

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-8.1-3-17.

**Synopsis:** Kindergarten enrollment date. Provides that a child must be at least five years of age on the following dates to officially enroll in a kindergarten program offered by a school corporation: (1) August 1 of the 2003-2004 school year. (2) September 1 of the 2004-2005 school year or any subsequent school year. (Current law requires that a child must be at least five years of age on July 1 to officially enroll in a kindergarten program.)

**Effective:** July 1, 2002.

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January 7, 2002, read first time and referred to Committee on Education.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## SENATE BILL No. 289

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-8.1-3-17, AS AMENDED BY P.L.291-2001,  
2 SECTION 111, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2002]: Sec. 17. (a) Subject to the specific  
4 exceptions under this chapter, each individual shall attend either a  
5 public school which the individual is entitled to attend under  
6 IC 20-8.1-6.1 or some other school which is taught in the English  
7 language.  
8 (b) An individual is bound by the requirements of this chapter from  
9 the earlier of the date on which the individual officially enrolls in a  
10 school or, except as provided in subsection (h), the beginning of the fall  
11 school term for the school year in which the individual becomes seven  
12 (7) years of age until the date on which the individual:  
13 (1) graduates;  
14 (2) reaches at least sixteen (16) years of age but who is less than  
15 eighteen (18) years of age and the requirements under subsection  
16 (j) concerning an exit interview are met enabling the individual to  
17 withdraw from school before graduation; or



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(3) reaches at least eighteen (18) years of age;  
whichever occurs first.

(c) An individual who:

- (1) enrolls in school before the fall school term for the school year in which the individual becomes seven (7) years of age; and
- (2) is withdrawn from school before the school year described in subdivision (1) occurs;

is not subject to the requirements of this chapter until the individual is reenrolled as required in subsection (b). Nothing in this section shall be construed to require that a child complete grade 1 before the child reaches eight (8) years of age.

(d) An individual for whom education is compulsory under this section shall attend school each year:

- (1) for the number of days public schools are in session in the school corporation in which the individual is enrolled in Indiana; or
- (2) if the individual is enrolled outside Indiana, for the number of days the public schools are in session where the individual is enrolled.

(e) In addition to the requirements of subsections (a) through (d), an individual must be at least five (5) years of age on:

- (1) July 1 of the 2001-2002 2002-2003 school year;**
- (2) August 1 of the 2003-2004 school year; or**
- (3) September 1 of the 2004-2005 school year or any subsequent school year;**

to officially enroll in a kindergarten program offered by a school corporation. However, ~~subject to subsection (g),~~ the governing body of the school corporation ~~shall~~ **may** adopt a procedure affording a parent of an individual who does not meet the minimum age requirement set forth in this subsection the right to appeal to the superintendent of the school corporation for enrollment of the individual in kindergarten at an age earlier than the age that is set forth in this subsection.

(f) In addition to the requirements of subsections (a) through (e), and subject to subsection (g), if an individual enrolls in school as permitted under subsection (b) and has not attended kindergarten, the superintendent of the school corporation shall make a determination as to whether the individual shall enroll in kindergarten or grade 1 based on the particular model assessment adopted by the governing body under subsection (g).

(g) To assist the principal and governing bodies, the department shall do the following:

- (1) Establish guidelines to assist each governing body in



1 establishing a procedure for making appeals to the superintendent  
2 of the school corporation under subsection (e).

3 (2) Establish criteria by which a governing body may adopt a  
4 model assessment which will be utilized in making the  
5 determination under subsection (f).

6 (h) If the parents of an individual who would otherwise be subject  
7 to compulsory school attendance under subsection (b), upon request of  
8 the superintendent of the school corporation, certify to the  
9 superintendent of the school corporation that the parents intend to:

10 (1) enroll the individual in a nonaccredited, nonpublic school; or

11 (2) begin providing the individual with instruction equivalent to  
12 that given in the public schools as permitted under section 34 of  
13 this chapter;

14 not later than the date on which the individual reaches seven (7) years  
15 of age, the individual is not bound by the requirements of this chapter  
16 until the individual reaches seven (7) years of age.

17 (i) The governing body of each school corporation shall designate  
18 the appropriate employees of the school corporation to conduct the exit  
19 interviews for students described in subsection (b)(2). Each exit  
20 interview must be personally attended by:

21 (1) the student's parent or guardian;

22 (2) the student;

23 (3) each designated appropriate school employee; and

24 (4) the student's principal.

25 (j) A student who is at least sixteen (16) years of age but less than  
26 eighteen (18) years of age is bound by the requirements of compulsory  
27 school attendance and may not withdraw from school before graduation  
28 unless:

29 (1) the student, the student's parent or guardian, and the principal  
30 agree to the withdrawal; and

31 (2) at the exit interview, the student provides written  
32 acknowledgment of the withdrawal and the student's parent or  
33 guardian and the school principal each provide written consent for  
34 the student to withdraw from school.

35 (k) For the purposes of this section, "school year" has the meaning  
36 set forth in IC 21-2-12-3(h).

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